

EM

March 29, 2013

Senate Chairman Eric D. Coleman  
House Chairman Gerald M. Fox  
Joint Committee on Judiciary  
Room 2500, Legislative Office Building  
Hartford, CT 06106

Dear Chairpersons Coleman and Fox:

On behalf of the 12,600 U.S. members of the American Academy of Dermatology Association (AADA), I urge you to oppose H.B. 6687, which would weaken existing medical liability law concerning certificates of merit. Existing law requires the plaintiff's attorney to attach a written opinion of an expert in the field. Such expert must be a "similar health care provider" to the defendant. Additionally, the law requires the expert to provide a detailed basis for the formation of the opinion that there appeared to be evidence of medical negligence. These provisions have been effective in reducing the filing of frivolous lawsuits.

6687 would eliminate the need for a detailed basis for the formation of an expert opinion. It would also allow any expert who may testify at trial to satisfy the certificate of merit requirement. Although the trial judge would conduct an evidentiary hearing at trial to determine if a non-similar health care provider is qualified to testify, there is no such scrutiny of the qualifications of the "expert" who signs the certificate of merit. Such determination is made by the plaintiff's attorney.

AADA is concerned that eliminating existing requirements for filing a good faith certificate will result in an increase in the number of frivolous law suits; therefore, forcing physicians to practice defensive medicine, which drives up health care costs. The numbers vary from study to study, but many report the costs to be in the billions of dollars. The cost of defensive medicine hurts everyone involved in the delivery of health care.

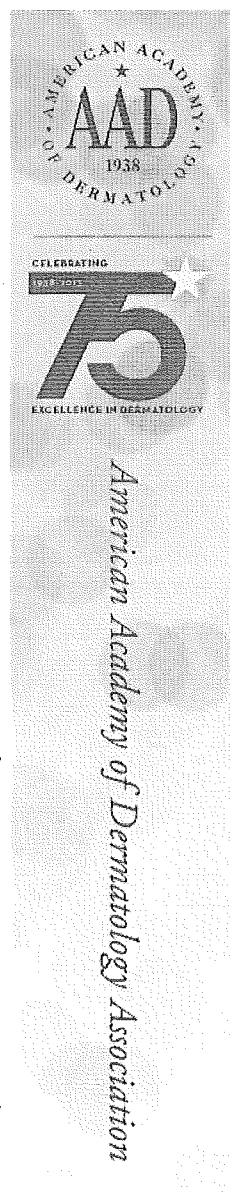
We urge you and your colleagues to oppose H.B. 6687 in order to preserve the reforms that have been accomplished by the 2005 certificate of merit law. We appreciate the opportunity to provide written comments on this important public health issue. For further information, please contact Lisa Albany, Assistant Director of State Policy for the AADA, at [LAlbany@aad.org](mailto:LAlbany@aad.org) or (202) 712-2615.

Sincerely,



President  
American Academy of Dermatology Association

cc: Donna Aiudi, MD, President, Connecticut Dermatology and Dermatologic Surgery Society  
Ken Ferrucci, Senior Vice President of Government Affairs, Connecticut State Medical Society



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